<center>**REMARKS**</center>

Claims 1-3, 7-10, 13-22, 26-30, 33 and 34 were pending and presented for examination. In an Office Action dated January 4, 2007, claims 1-3, 7-10, 13-22, 26-30, 33 and 34 were rejected. Applicants are canceling claims 13, 20 and 33. Applicants are amending claims 1, 14, 21, 22, and 34 in this Amendment and Response. These changes are believed not to introduce new matter, and their entry is respectfully requested. In making these amendments, Applicants do not concede that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicants reserve the right to pursue such protection at a later point in time and merely seek to pursue protection for the subject matter presented in this submission. In view of the Amendments and the Remarks herein, Applicants respectfully request that the Examiner reconsider all outstanding rejections and withdraw them.

<center>**Response to Rejection Under 35 USC 101**</center>

Claims 1-3, 7-10, 13-22, 26-30, and 33-34 have been rejected under 35 USC § 101 as allegedly being directed to non-statutory subject matter. In the rejection, the Examiner recites that the claims do not provide a tangible result. Independent claims 1, 21, and 22 have been amended to recite: "…outputting the third result set." The output of the third result set provides a useful, concrete and tangible result. Independent claim 20 has been cancelled. The dependent claims incorporate all the limitations of their respective base claims and are therefore also now in compliance with 35 USC § 101. Applicants respectfully request that the Examiner reconsider and withdraw the rejections.

<u>Response to Rejection Under 35 USC 103(a) in View of Mukherjee and Yu</u>

Claims 1-3, 7-10, 13-22, 26-30, and 33-34 have been rejected under 35 USC § 103(a) as allegedly being unpatentable in view of U.S. Patent Publication No. 2004/010387 to Mukherjee, et al. ("Mukherjee") and U.S. Patent Publication No. 2002/0143757 to Yu, et al. ("Yu"). This rejection is now respectfully traversed.

Representative claim 1, as amended, recites:

> ...comparing the second sort order to the first sort order;
>
> sorting the second plurality of article identifiers in the second sort order into a third sort order based at least in part on the comparison between the second sort order and the first sort order...

Independent claims 21 and 22 include similar language. The amended claims recite sorting a set of article identifiers. A first and second plurality of article identifiers are received and their sort orders are compared. A third result set is created based on a first and second plurality of article identifiers and a third sort order is created based on the comparison between the first and second sort orders. This sorting method is useful when applied to a display with a refreshing content window. By maintaining constancy between the third result set and the first and second result sets, distractions to the viewer are reduced.

The claimed invention is not obvious in view of Mukherjee and Yu, either alone or in combination, because both references fail to disclose the steps of **comparing the second sort order to the first sort order** and **sorting based at least in part on the comparison**. Mukherjee relates to combining search results from multiple search databases and discloses creating a result set based on other result sets. Mukherjee uses a re-ranking module for determining a sort order for the newly created result set. The re-ranking module sorts the new result set based on **user-defined input** (Mukherjee, paragraph [0057]) and not based on **a comparison between a second and first sort order**. The user-defined input selects from

among sort criteria including author, title frequency of terms, or by LSI methods (paragraph [0061]-[0062]). Mukherjee does not, and would not have any need to, compare the sort orders of the received result sets because ranking of results does not depend at all on the sort orders of the originally received result sets.

Yu also fails to disclose comparing a second sort order to a first sort order and sorting based at least in part on the comparison. Rather, Yu prioritizes search results according to interest indications in previous search histories. The method "assigns a greater weight to interest indications by similar users making similar requests than to interest indications by users that are dissimilar or that have made dissimilar requests." (Yu, paragraph [0010]). "The items can be sorted simply by hit counts. Alternatively, the content values for the items can be factored in." (Yu, paragraph [0034])

Like Mukherjee, Yu would have no need to compare a first and second sort order. The order of a previous result set would reflect past interest indications that would be outdated when a new result set is received. Yu, at best, compares a sort order to interest indications and not to another sort order. Thus, Yu does not create a third sort order based on a comparison between a first and second sort order, but instead creates a sort order based on interest indications.

Based on the above amendment above and the remarks, Applicants respectfully submit that for at least these reasons independent claims 1, 21, and 22 are patentably distinguishable over the cited reference. The dependent claims incorporate all the limitations of their respective base claims and are therefore patentably distinguishable over the cited references for at least the same reasons.

In sum, Applicants respectfully submit that claims 1-3, 7-10, 14-19, 21-22, 26-30, and 34 as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
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